

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

JOHN L. KING, II,

Petitioner

-vs-

JOHN PALAKOVICH, and
PENNSYLVANIA ATTORNEY GENERAL,

Respondents

NO. 3:CV-06-2089

(Judge Kosik)

ORDER

NOW, THEREFORE, THIS 14th DAY OF NOVEMBER, 2006, IT APPEARING TO THE COURT THAT:

(1) Petitioner, John L. King, II, filed a petition for writ of habeas corpus pursuant to 28 U.S.C. §2254 on October 24, 2006;

(2) On October 26, 2006, this court issued an Order and Notice of Election in accordance with United States v. Miller, 197 F.3d 644 (3d Cir. 1999) and Mason v. Meyers, 208 F.3d 414 (3d Cir. 2000); and,

(3) On November 13, 2006, petitioner returned the Notice of Election indicating that he chooses to withdraw his petition so that he may file an all-inclusive petition under 28 U.S.C. §2254 within the one-year limit for filing such a petition;

ACCORDINGLY, IT IS HEREBY ORDERED THAT:

(1) The petition for writ of habeas corpus filed by petitioner, John L. King, II, on October 24, 2006 is withdrawn; and,

(2) The Clerk of Court is directed to CLOSE this case.

s/Edwin M. Kosik
United States District Judge